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8 **UNITED STATES DISTRICT COURT**  
9 **NORTHERN DISTRICT OF CALIFORNIA**

10 In re Smart ERP Solutions, Inc.  
11 Litigation

Lead Case No.: 4:25-CV-02588-HSG

12 **CLASS ACTION**

13 **ORDER GRANTING JOINT MOTION**  
14 **TO ALLOW CO-LEAD COUNSEL**  
15 **APPLICANT TO ATTEND HEARING**  
16 **OR TO APPEAR REMOTELY AND**  
17 **ALLOW DEFENSE COUNSEL TO**  
18 **APPEAR REMOTELY (as modified)**

19 On May 30, 2025, Plaintiffs filed their Motion for Appointment of Interim Class Counsel,  
20 seeking the appointment of Jeff Ostrow of Kopelowitz Ostrow P.A., Scott Edward Cole of Cole &  
21 Van Note, and John J. Nelson of Milberg Coleman Bryson Phillips Grossman, PLLC as interim co-  
22 lead counsel on behalf of the putative class. [Dkt. 34]. On June 12, 2025, Defendant Smart ERP  
23 Solutions, Inc. filed a Statement of Non-Opposition to Plaintiff's Motion to Appoint Interim Class  
24 Counsel. [Dkt. 41]. This Court set a hearing on the motion for July 10, 2025, at 2:00 pm before  
25 Judge Gilliam. [Dkt. 36].


26 Plaintiff Randall Wright and his counsel, Jeff Ostrow, request that co-lead counsel applicant  
27 Scott Edward Cole of Cole & Van Note, who will be attending the July 10 hearing in person and is  
28 fully apprised of the facts of the litigation and the relief sought in the motion, be permitted to attend

1 the hearing on Mr. Ostrow's behalf. Alternatively, Mr. Ostrow asks that he be permitted to appear  
2 remotely. Additionally, out of state defense counsel, Timothy J. Lowe and Sydney Bell, request that  
3 they be permitted to appear at the hearing remotely.

4 After review of Counsel's request, the parties' Joint Motion to Allow Co-Lead  
5 Counsel Applicant to Attend Hearing or to Appear Remotely and Allow Defense Counsel  
6 to Appear Remotely is **GRANTED**. Scott Edward Cole of Cole & Van Note is permitted to attend  
7 the hearing on Jeff Ostrow's behalf. Additionally, Timonthy J. Lowe and Syndey Bell are  
8 hereby permitted to appear at the hearing remotely via Zoom. The CRD will e-mail counsel the  
9 Zoom information and instructions.

10 **IT IS SO ORDERED.**

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12 Dated: 7/8/2025

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14 Hon. Haywood S. Gilliam, Jr.  
15 UNITED STATES DISTRICT COURT JUDGE  
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